

Message

From: Hathaway, Margaret [Hathaway.Margaret@epa.gov]
Sent: 5/3/2019 6:48:51 PM
To: Costello, Kevin [Costello.Kevin@epa.gov]
CC: Snyderman, Steven [Snyderman.Steven@epa.gov]; Grable, Melissa [Grable.Melissa@epa.gov]; Jones, Ricardo [Jones.Ricardo@epa.gov]
Subject: FW: Risk Mitigation Docs + Registrant Comments
Attachments: Imidacloprid Registrant Mitigation Outline.docx; Dinotefuran Registrant Mitigation Outline.docx; Neonicotinoid Mitigation Overview_OGC.docx; Neonic Mitigation Planning Outline - Thia 3-26-2019 COB.docx; Neonic Mitigation Planning Outline - Clothi 3-26-2019 COB.docx; Syngenta response to EPA Risk Mitigation Proposal for Thiamethoxam 041119.pdf; BCS comments to clothianidin_human health RA_2018-04-20_receipt.pdf; 20190409 Valent inupt - Neonic Mitigation Planning Outline - Clothi 3-26-2019 COB.docx; 20190409 Valent Preliminary Response - Neonic Mitigation Planning Outline - Clothi 3-26-2019 COB (003).docx; Dinotefuran Environmental Risk Mitigation Proposal Comments - Final.pdf; Adama Response to PID Proposal Email.pdf; Nufarm Response to PID Proposal 20190410.pdf; 2019-04-12 Bayer Response to EPA imidacloprid mitigation proposal.pdf

Hello Kevin:

Here are the mitigation plans and registrant responses you requested. The previous email I sent you is a SharePoint link to a document Steven and I are using to update the mitigation proposals based on registrant feedback.

- Meg

From: Snyderman, Steven
Sent: Monday, April 29, 2019 10:54 AM
To: Ross, Philip <Ross.Philip@epa.gov>; Perlis, Robert <Perlis.Robert@epa.gov>
Cc: Jones, Ricardo <Jones.Ricardo@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>; Grable, Melissa <Grable.Melissa@epa.gov>; Huskey, Angela <Huskey.Angela@epa.gov>; Perlis, Robert <Perlis.Robert@epa.gov>; Knorr, Michele <knorr.michele@epa.gov>; Koch, Erin <Koch.Erin@epa.gov>; Dyner, Mark <dyner.mark@epa.gov>; Smith, Charles <Smith.Charles@epa.gov>
Subject: RE: Update Following OGC Meeting... RE: Risk Mitigation Development Discussions for Neonicotinoids

Good morning,

In anticipation of this afternoon's meeting, attached are the mitigation plans we provided to the registrants along with a more high level overview, as well as the registrant responses.

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From: Ross, Philip
Sent: Thursday, April 25, 2019 12:41 PM
To: Snyderman, Steven <Snyderman.Steven@epa.gov>; Perlis, Robert <Perlis.Robert@epa.gov>
Cc: Jones, Ricardo <Jones.Ricardo@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>; Grable, Melissa <Grable.Melissa@epa.gov>; Blankinship, Amy <Blankinship.Amy@epa.gov>; Huskey, Angela <Huskey.Angela@epa.gov>; Perlis, Robert <Perlis.Robert@epa.gov>; Knorr, Michele <knorr.michele@epa.gov>; Koch, Erin <Koch.Erin@epa.gov>; Dyner, Mark <dyner.mark@epa.gov>
Subject: RE: Update Following OGC Meeting... RE: Risk Mitigation Development Discussions for Neonicotinoids

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Not sure how many of us will be able to participate in a call on Monday, but maybe we can get an indication of who might be able to attend through some responses to this email.

Attorney Client / Ex. 5

Thanks and we look forward to working with you on this.

Philip J. Ross
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United States Environmental Protection Agency
(202) 564-5637

From: Snyderman, Steven
Sent: Thursday, April 25, 2019 12:21 PM
To: Ross, Philip <Ross.Philip@epa.gov>; Perlis, Robert <Perlis.Robert@epa.gov>
Cc: Jones, Ricardo <Jones.Ricardo@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>; Grable, Melissa <Grable.Melissa@epa.gov>; Blankinship, Amy <Blankinship.Amy@epa.gov>; Huskey, Angela <Huskey.Angela@epa.gov>; Perlis, Robert <Perlis.Robert@epa.gov>; Knorr, Michele <knorr.michele@epa.gov>; Koch, Erin <Koch.Erin@epa.gov>; Dyer, Mark <dyner.mark@epa.gov>
Subject: RE: Update Following OGC Meeting... RE: Risk Mitigation Development Discussions for Neonicotinoids

Please see my Thursday, April 11, 2019 4:57 PM email in this email chain for more detail. Our questions surrounded requesting OGC's thoughts on the following two potential proposed mitigation items. I then provided some additional context in a later email based on your questions which I hope are a helpful guide. Thank you again and we look forward to hearing your thoughts and concerns on our Monday conference call.

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From: Ross, Philip
Sent: Thursday, April 25, 2019 12:14 PM
To: Snyderman, Steven <Snyderman.Steven@epa.gov>; Perlis, Robert <Perlis.Robert@epa.gov>
Cc: Jones, Ricardo <Jones.Ricardo@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>; Grable, Melissa <Grable.Melissa@epa.gov>; Blankinship, Amy <Blankinship.Amy@epa.gov>; Huskey, Angela <Huskey.Angela@epa.gov>; Perlis, Robert <Perlis.Robert@epa.gov>; Knorr, Michele <knorr.michele@epa.gov>; Koch, Erin <Koch.Erin@epa.gov>; Dyer, Mark <dyer.mark@epa.gov>
Subject: RE: Update Following OGC Meeting... RE: Risk Mitigation Development Discussions for Neonicotinoids

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I will not be available the rest of today as I'll be on leave starting very shortly.

Please reiterate specifically what the two April 11 questions were.

Philip J. Ross
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From: Snyderman, Steven
Sent: Thursday, April 25, 2019 12:07 PM
To: Ross, Philip <Ross.Philip@epa.gov>; Perlis, Robert <Perlis.Robert@epa.gov>
Cc: Jones, Ricardo <Jones.Ricardo@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>; Grable, Melissa <Grable.Melissa@epa.gov>; Blankinship, Amy <Blankinship.Amy@epa.gov>; Huskey, Angela <Huskey.Angela@epa.gov>; Perlis, Robert <Perlis.Robert@epa.gov>; Knorr, Michele <knorr.michele@epa.gov>; Koch, Erin <Koch.Erin@epa.gov>

Dyner, Mark <dyner.mark@epa.gov>

Subject: RE: Update Following OGC Meeting... RE: Risk Mitigation Development Discussions for Neonicotinoids

Good afternoon,

We'd like to set up a brief call first to speak with just your OGC team and us here at PRD to better understand your concerns and provide a bit more context. We still would like to hear your thoughts on the two questions we provided to you all on the 11th of April.

I will put a meeting invite on the calendar shortly along with a call-in number and we look forward to hearing from you.

Steven Snyderman, Chemical Review Manager
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From: Ross, Philip

Sent: Wednesday, April 24, 2019 4:50 PM

To: Snyderman, Steven <Snyderman.Steven@epa.gov>; Perlis, Robert <Perlis.Robert@epa.gov>

Cc: Jones, Ricardo <Jones.Ricardo@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>; Grable, Melissa <Grable.Melissa@epa.gov>; Blankinship, Amy <Blankinship.Amy@epa.gov>; Huskey, Angela <Huskey.Angela@epa.gov>; Perlis, Robert <Perlis.Robert@epa.gov>; Knorr, Michele <knorr.michele@epa.gov>; Koch, Erin <Koch.Erin@epa.gov>; Dyner, Mark <dyner.mark@epa.gov>

Subject: Update Following OGC Meeting... RE: Risk Mitigation Development Discussions for Neonicotinoids

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Steven and others—

I'm updating you as promised on the results of our meeting over here in OGC concerning who in our office will be working with you on your upcoming Registration Review Proposed Interim Decision (PID) for neonics. I also discuss some steps that we recommend occur.

Several of us will be working with you on the neonics Registration Review draft, including me, Angela, Erin, and Michele. Please include all of us on your sends and meeting invites related to this undertaking. It might be that, at any given time, a subset of us might be working with you due to other work demands, etc., but we will make that decision as needs arise.

In the chain of messages below, there is mention of your plans to schedule a meeting involving OGC, PRD, BEAD, and RD in the immediate future. We believe that's a good idea and look forward to it being scheduled soon as we'd like to discuss with you your plans, envisioned strategies, etc.

We ask that you expand the group that will be invited to the meeting to include appropriate people from EFED as well as people (from RD and others) who work on Sulfoxaflor. We also will want to hear about Acetamiprid and why

Deliberative Process / Ex.

Attorney Client / Ex. 5

Thank you, and we look forward to hearing from you soon.

Phil

Philip J. Ross
Senior Attorney
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United States Environmental Protection Agency
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From: Ross, Philip
Sent: Tuesday, April 23, 2019 10:52 AM
To: Snyderman, Steven <Snyderman.Steven@epa.gov>; Perlis, Robert <Perlis.Robert@epa.gov>
Cc: Jones, Ricardo <Jones.Ricardo@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>; Grable, Melissa <Grable.Melissa@epa.gov>; Blankinship, Amy <Blankinship.Amy@epa.gov>; Huskey, Angela <Huskey.Angela@epa.gov>; Perlis, Robert <Perlis.Robert@epa.gov>; Knorr, Michele <Knorr.Michele@epa.gov>; Koch, Erin <Koch.Erin@epa.gov>; Dyner, Mark <dyner.mark@epa.gov>
Subject: RE: Risk Mitigation Development Discussions for Neonicotinoids

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Thanks. We will review your responses.

Philip J. Ross
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From: Snyderman, Steven
Sent: Friday, April 19, 2019 9:48 AM
To: Ross, Philip <Ross.Philip@epa.gov>; Perlis, Robert <Perlis.Robert@epa.gov>
Cc: Jones, Ricardo <Jones.Ricardo@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>; Grable, Melissa <Grable.Melissa@epa.gov>; Blankinship, Amy <Blankinship.Amy@epa.gov>; Huskey, Angela <Huskey.Angela@epa.gov>; Perlis, Robert <Perlis.Robert@epa.gov>; Knorr, Michele <knorr.michele@epa.gov>; Koch, Erin <Koch.Erin@epa.gov>; Dyner, Mark <dyner.mark@epa.gov>
Subject: RE: Risk Mitigation Development Discussions for Neonicotinoids

Phil,

Thank you for getting back to us, I can definitely provide you some context and answers to your question. Please see my response below in **red**. We look forward to hearing from you after your meeting next week.

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From: Ross, Philip

Sent: Thursday, April 18, 2019 5:58 PM

To: Snyderman, Steven <Snyderman.Steven@epa.gov>; Perlis, Robert <Perlis.Robert@epa.gov>

Cc: Jones, Ricardo <Jones.Ricardo@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>; Grable, Melissa <Grable.Melissa@epa.gov>; Blankinship, Amy <Blankinship.Amy@epa.gov>; Huskey, Angela <Huskey.Angela@epa.gov>; Perlis, Robert <Perlis.Robert@epa.gov>; Knorr, Michele <knorr.michele@epa.gov>; Koch, Erin <Koch.Erin@epa.gov>; Dyner, Mark <dyner.mark@epa.gov>

Subject: RE: Risk Mitigation Development Discussions for Neonicotinoids

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Steven—

From my perspective, in preparation for the meeting a number of us in OGC are having next week about this, it would help if you could send us some additional information in advance of our Wednesday meeting.

It would help to have the following kinds of information and/or clarifications:

Attorney Client / Ex. 5

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Thanks in advance for any of the above information you can provide to us at this stage.

Phil

Philip J. Ross
Senior Attorney
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From: Ross, Philip
Sent: Thursday, April 11, 2019 5:05 PM
To: Snyderman, Steven <Snyderman.Steven@epa.gov>; Perlis, Robert <Perlis.Robert@epa.gov>
Cc: Jones, Ricardo <Jones.Ricardo@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>; Grable, Melissa <Grable.Melissa@epa.gov>; Blankinship, Amy <Blankinship.Amy@epa.gov>; Huskey, Angela <Huskey.Angela@epa.gov>; Perlis, Robert <Perlis.Robert@epa.gov>; Knorr, Michele <Knorr.Michele@epa.gov>; Koch, Erin <Koch.Erin@epa.gov>; Dyners, Mark <dyners.mark@epa.gov>
Subject: RE: Risk Mitigation Development Discussions for Neonicotinoids

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Steven—

Thanks.

A number of us are scheduled to meet over here during the week after next concerning staffing this, etc.

I am going to include the other people involved in that meeting as co-addressees.

We will be in touch after our meeting.

Phil

Philip J. Ross
Senior Attorney
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From: Snyderman, Steven

Sent: Thursday, April 11, 2019 4:57 PM

To: Perlis, Robert <Perlis.Robert@epa.gov>; Ross, Philip <Ross.Philip@epa.gov>

Cc: Jones, Ricardo <Jones.Ricardo@epa.gov>; Hathaway, Margaret <Hathaway.Margaret@epa.gov>; Grable, Melissa <Grable.Melissa@epa.gov>; Blankinship, Amy <Blankinship.Amy@epa.gov>

Subject: RE: Risk Mitigation Development Discussions for Neonicotinoids

Good afternoon,

Ricardo reached out to Phil recently regarding wanting to run by you a few portions of our proposed mitigation strategy for the neonicotinoids. He is out in training this week but I wanted to thank you for your responsiveness to his request. Below I have listed out areas of our overall mitigation proposal that we would like to discuss with OGC given the potential implications regarding enforceability and/or legality. We have had initial discussions with registrants, and they have also expressed concerns with these measures. We have also added detail to the description below regarding our rationale and current planned path to achieve the desired measure, and would appreciate OGC input or thoughts on these.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Our OPP pollinator team thus far has been focused on developing the data and assessment methodologies around pollinators and has not been involved in risk management; however, the team was consulted for input on our mitigation strategy for concurrence. There have also been previous efforts in RD related to implementing an acute strategy, and we have been working with RD in developing our acute mitigation so that it aligns with the previous work. However, the mitigation for the chronic risk for the neonicotinoids is a wholly new endeavor for PRD. The neonicotinoids are the first insecticide class to have a complete higher-tiered pollinator data set and are using the most recent incarnation of our new framework for assessing risks to bees. As a result, the mitigation we're developing in PRD to address the risks, reflects a highly refined and well informed assessment (to an extent never before seen for this taxa). This is much of what is driving our need for new mitigation approaches, tailored to our unique understanding of this class of insecticides.

I would like to set up a conference call with someone from OGC to meet with PRD, BEAD, and perhaps RD. Please let me know when you've had a chance to review this email and when Bob has designated someone to help us in our mitigation planning efforts. We are currently planning to complete our mitigation planning by May, and to draft our PID by June.

Thank you all for your help and input on this!

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From: Ross, Philip
Sent: Friday, April 05, 2019 12:05 PM
To: Jones, Ricardo <Jones.Ricardo@epa.gov>
Cc: Blankinship, Amy <Blankinship.Amy@epa.gov>; Grable, Melissa <Grable.Melissa@epa.gov>; Perlis, Robert <Perlis.Robert@epa.gov>
Subject: FW: Risk Mitigation Development Discussions for Neonicotinoids

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Ricardo—

I am discussing this with Bob Perlis to see who else in our office ought to be involved.

At this stage, I have two requests for information.

First, please send us the summary you mentioned you planned to send me. Please reply to all so Bob gets it too.

Second, it's my understanding that there is an OPP Pollinator group and we're assuming your effort relates to pollinators as well. Are you coordinating your "neonic" efforts with that OPP Pollinator group?

Thanks, and we look forward to hearing from you as soon as it's convenient.

Phil

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From: Jones, Ricardo
Sent: Friday, April 05, 2019 9:56 AM
To: Ross, Philip <Ross.Philip@epa.gov>
Cc: Blankinship, Amy <Blankinship.Amy@epa.gov>; Grable, Melissa <Grable.Melissa@epa.gov>
Subject: Risk Mitigation Development Discussions for Neonicotinoids

Phil,

The risk management team in PRD for the neonicotinoids is in the early stages of developing a mitigation path forward for these chemicals;

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Once you let me know, I'll send you a brief summary of the mitigation issues we are trying to work out, and set up a short call for us to discuss.

Thanks.

Ricardo Jones
Team Leader, Risk Management and Implementation Branch I
Pesticide Re-evaluation Division (PRD)
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Ph: (703) 347-0493